

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

SANTINA MCGHEE,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:05CV148-P-A

**JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,**

DEFENDANT.

ORDER

This matter comes before the court upon Plaintiff's Petition for Attorney Fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) [17-1]. Upon due consideration of the motion and the Government's response filed thereto, the court finds as follows, to-wit:

In its response, the Government avers that it "agrees that Plaintiff should receive \$3,255.84 for attorney fees in this case as well as \$250.00 for the filing fee, this last amount being a 'cost' under the EAJA and is paid from the Judgment Fund administered by the Department of the Treasury and not out of SSA appropriations." Having considered the matter, the court finds that the motion should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Plaintiff's Petition for Attorney Fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) [17-1] is **GRANTED**; accordingly,

(2) From the Judgment Fund administered by the Department of the Treasury, the defendant shall pay the plaintiff's counsel \$3,355.84 for attorney fees and \$250.00 for costs pursuant to 28

U.S.C. § 2412(d)(1)(A).

SO ORDERED this the 10th day of March, A.D., 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE